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DATE: August 9, 2004

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| Examiner Yasin M. Barqadle – Unit 2153 United States Patent and Trademark Office | (703) 872-9306 | (703) 306-5631 |

FROM: Shahpar Shahpar

PHONE: 602-382-6306

MESSAGE:

Attached is the Submission and Response to Office Action dated April 7, 2004 and RCE for Serial No. 09/712,743.

SPP

ORIGINAL DOCUMENT: Will be sent

NUMBER OF PAGES (Including Cover): 19

CONFIRMATION NO.:

CLIENT MATTER NO.: 10655.9500

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PAGE 1/19 * RCVD AT 8/9/2004 6:06:54 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/1 * DNIS:8729306 * CSID:602 382 6070 * DURATION (mm:ss):06:04

PTO/SB/21 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/712,743

Filing Date

November 14, 2000

First Named Inventor

Patnode, et al.

Art Unit

2153

Examiner Name

Yasir M. Barqadie

Attorney Docket Number

10655.9500

ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53.

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert a Provisional Application
- Power of Attorney, Revocation/ Change of Correspondence
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____

Remarks:

- After Allowance communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

Request for Continued Examination

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | Shahpar Shahpar, Reg. No. 45,875, SNELL & WILMER LLP One Arizona Center, 400 East Van Buren Phoenix, Arizona 85004-2202 |
|-------------------------|---|

Signature

Date

August 9, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage via first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Sheila Bowman

Signature

Date

August 9, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

\$880.00

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 09/712,743 |
| Filing Date | November 14, 2000 |
| First Named Inventor | Patnode, et al. |
| Examiner Name | Yasin M. Barqadie |
| Art Unit | 2153 |
| Attorney Docket No. | 10655.9500 |

METHOD OF PAYMENT (check all that apply)

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| Deposit Account Name | Snell & Wilmer LLP | | | |

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FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-------------------|--------------|---------------|---------------|------------------------|----------|
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 285 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 180 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND

| Extra Claims | | Fee from below | Fee Paid |
|--------------------|---------|----------------|----------|
| Total Claims | -20** = | 0 | X = 0.00 |
| Independent Claims | -3** = | 0 | X = 0.00 |
| Multiple Dependent | | | = 0.00 |

| Large Entity | Small Entity | Fee Code (\$) | Fee Description |
|-------------------|--------------|---------------|--|
| 1202 | 18 | 2202 | 9 Claims in excess of 20 |
| 1201 | 65 | 2201 | 43 Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 ** Reissue independent claims over original patent |
| 1205 | 16 | 2205 | 9 ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$) | | 50.00 | |

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------------|--------------|---------------|---------------|--|----------|
| 1051 | 130 | 2051 | 85 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non - English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | 110.00 |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1263 | 850 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 148 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to Institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 685 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 685 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1480 | 130 | 1480 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR § 1.17(q) | |
| 1808 | 180 | 1808 | 180 | Submission of Information Disclosure Statement | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2609 | 385 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR § 1.129(b)) | 770.00 |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | | | |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

\$880.00

| SUBMITTED BY | | Registration No. (Attorney/Agent) | Telephone | |
|-------------------|-----------------|--------------------------------------|----------------|--|
| Name (Print/Type) | Shahpar Shahpar | 45,875 | (602) 382-6306 | |
| Signature | S. Shahpar | Date | August 9, 2004 | |

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